

EXHIBIT J

Zifchak, William

From: Zifchak, William
Sent: Thursday, February 27, 2014 5:45 PM
To: 'Lyle Simpson'
Subject: RE: Sue Rumbaugh

Thank you Lyle.

I will reach out to Patricia.

Is there a legal instrument by which ACCI has assumed the responsibilities of ILPS under the settlement agreement and side agreement in the federal action? If so, I request that you disclose it.

I have this one further observation, and it is on behalf of Bonobo Hope (BHI). Since BHI co-owns the bonobos (except for Matata who remains the exclusive property of the Congo), it strikes me as imperative that BHI and DRC be part of the process by which strangers may be permitted access to their property.

I suggest that any new regime at IPLS bear that in mind. This is above and beyond any dispute over which board is to control the science going forward, where I understand (and reserve judgment on) the position of the IPLS board.

Bill

From: Lyle Simpson [mailto:lsimpson@iowafirm.com]
Sent: Thursday, February 27, 2014 4:57 PM
To: Zifchak, William
Subject: RE: Sue Rumbaugh

Bill

In order of your issues:

1. Please do speak with Patricia if you wish. In fact you should send her Jared's e-mail.

2. I responded to you orally upon receipt of your two letters. As I told you then, I had already expended more than my firms allotment of pro bono time dealing with Sue's issues. I was not about to spend billable time writing a response, but because of our professional relationship I responded to you on my own time. I explained to you over the telephone when we talked at that time that Sue had failed to maintain IPLS as a valid Iowa corporation last year when she was registered agent and in charge of the facility. She had received the code from the Iowa Secretary of State necessary for both corporations for filing the renewal and paying the \$30 fee, but she did not do anything. As a result the Iowa Attorney General dissolved the IPLS and Bonobo Hope corporations last August. That was the first time I became aware of the problem because Sue had not said anything about it before. Sue did the same thing to Bonobo Hope, but I was able to get that reinstated. I could not reinstate IPLS without the organization paying \$75,000 in unpaid unemployment tax that the organization does not currently have. That meant that the board was operating their facility without a corporate shield. That changes their personal risk of public liability. Therefore, I had to create a new corporate shield to protect the board. We have transferred the real estate to that organization because that is where the public liability is primarily located. That organization is accepting all responsibility for IPLS

commitments except IPLS debt created by Ted Townsend. ACCI is accepting all responsibility for all actions of IPLS since IPLS separated from Ted's control in 2011. It is using IPLS for all current activity except public liability for the real estate and both organizations are listed on the liability insurance policy as insured's. Effectively IPLS is now an assumed name of ACCI and it is operating under all the licenses of IPLS and its tax exempt status. ACCI is recognized by the state of Iowa which creates the board liability shield as a non-profit organization. Sue created a significant can of worms by not going on line and paying the \$30 fee. That alone has already cost me over \$3,000 to correct. I have not had time to address that let alone the other issues she has created.

3. Jared and Carmen are now communicating to set up a joint meeting between boards during their spring break when they will have an extended period of time available and hopefully many of the Bonobo Hope board members will be available to attend. Sue can recuse herself if she wishes, but that was not at IPLS request. They are more than willing to report to the Bonobo Hope board. So far, other than the issue that Sue chose to raise with them of her being denied current access to the facility so that they can get its personnel and financial status stabilized and get active participation from the scientific community, there is nothing that requires action of the Bonobo Hope board. Jared and Bill were only asked to participate late last year. We are not even done with February yet. They are both devoting all of their free time to planning to maximize the use of the IPLS facility and to make the bonobos available to the scientific community. Sue has precluded the bonobos availability to other scientist through the way that she treats other people for so long that the shock of the bonobo now being accessible has barely registered among interested scientists who would not touch the facility with Sue's involvement. Many are excited that Sue is no longer there, but have not had the time to consider how they could benefit from access. Give Jared and Bill a chance to develop significant information to share with the Bonobo Hope board. Science does not move as fast as you and I have to in our practice. Even the meeting that Sue has orchestrated is premature and takes significant time away from Jared and Bill's efforts to gain immediate needed funding to sustain the facility. However, they are willing to take this diversion because Carmen requested it. And I have encouraged it at your request. They are setting an agreeable date now and attempting to work out how they might hold a Skype meeting for those not personally able to be here.
4. Jared and Bill have all intent to devote significantly more time to IPLS as they are able to rearrange their calendars and work loan and they are able to secure funding for their research that includes the bonobos. IPLS will become central to their efforts for the near future, but shifting gears from their previous commitments cannot happen instantly. Keep in mind that academics think in school years, not weeks or days like you and I do. Their funding is for extended periods. If Bill can get a faculty appointment at ISU, I believe he would even consider moving here. That would essentially give him full time accessibility.
5. As I have said before there is more science planning centered around IPLS through today since the first of December 2013, and more excitement for the change, than has occurred at IPLS over the past several years, possibly since Duane retired and he and Sue were doing active research. However this science is all still in startup mode. Actual commencement is being planned and the IACUC and IPLS board is being consulted, and Academic advisory panels are still being formed. All of that must be in place, and the bonobo's permission must be obtained before effect research is commenced. Completion of that planning would normally be the time for reporting to the Bonobo Hope board. It is a bit premature, but Jared and Bill are accelerating their activity in order to effectively utilize the Bonobo Hope meeting for that

purpose in addition to addressing the issues that Sue requested of Carmen. The IPLS board hopes the both full boards participate, not just the Executive Committee.

I trust that this answers your questions.

Lyle

From: Zifchak, William [mailto:William.Zifchak@kayescholar.com]
Sent: Thursday, February 27, 2014 1:04 PM
To: Lyle Simpson
Subject: RE: Sue Rumbaugh

Lyle: I will look into this. I assume there is no objection to my speaking to Patricia Gray, since after all, she is the professor who first introduced me to Sue in December 2007 when Ted and Bill were forcing Sue out for the first time.

In the meantime, when can we expect a response to my two letters to you dated February 10? In this connection it was recently brought to my attention by Todd Langel that yet another entity, the Ape Cognition and Communication Institute, was formed by you, George and Bill earlier this year. Is there a reason this was not disclosed to the BHI board or to counsel for the DRC?

Lastly, a premise of my reaching out to you to extend court jurisdiction in all earnestness was that the parties, whether through you and me, or through the 2 boards, face to face, would try to clear the air and work things out. Indeed this was a premise of Sue's holding her fire. Yet no meeting or meetings have been scheduled to date and I hope it is not your client's intention to patronize and stonewall the BHI board. Please attend to this. Since Jared and Bill will be in Des Moines this week, perhaps you could inquire as to their availability for a meeting with the BHI board, whether participating in person or by conference phone, as I believe Carmen has asked you. Sue has recused herself so what are they afraid of? If Bill and Jared are only present in Des Moines every six weeks or so, an objective observer could well question their long-term commitment to the Great Ape Trust and what really is the state of any scientific research being conducted at the present time.

Best wishes,

Bill

From: Lyle Simpson [mailto:lsimpson@iowafirm.com]
Sent: Thursday, February 27, 2014 10:01 AM
To: Zifchak, William
Subject: Sue Rumbaugh

Bill

Sue may not be directly contacting IPLS board members for now, but that was not our agreement. Our agreement was that Sue would do nothing involving or in reference to IPLS until after June this year. Sue is still causing serious damage to what IPLS is trying to accomplish to save the Des Moines home for these bonobos. See the message that I just received from Jared Taglialatela below. This has to stop now. Sue is intentionally "poisoning the well". There are not that many scientists in this field and it is imperative that true science continue at IPLS while Teco is at such an age where learning from his growth has such scientific value. Sue may have been learning from her experience of living with the bonobos the past few years, but no other real science was being

conducted in Des Moines and no outside funding sources were attracted to IPLS by Sue. She has to give IPLS a chance to survive. Instead Sue is apparently only concerned about what she wants.

Sue simply wants to live with these bonobo. She feels entitled. That is her first and primary goal. The science that she then derives will be secondary (if not Sue would be out writing proposals and getting her own grants today instead of stirring up other scientists). The IPLS board has told Sue that they would work with her if she has a valid funding grant that would cover her cost using IPLS. The point is Jared and Bill have now found that that no other scientists will touch IPLS if Sue has anything to do with IPLS. Duane Rumbaugh promised that he and Sue would stay away while IPLS makes this transition. Duane has never been the problem. Sue does not realize how hard she is to work with and how possessive she is with "her bonobos". She even insults people and has no clue that she is doing it. These bonobo belong to the entire world of science, not just Sue. Sue has now become obsessed and because of that her own possessive behavior is dangerous to the very survival of IPLS.

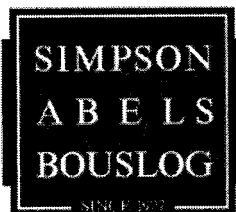
If Sue would only calm down and behave like the intelligent person that she really is, if she is really concerned with the welfare of the bonobos instead of only being focused on what Sue wants, she would understand that we can create an environment in which she can participate. Instead her sense of entitlement and possession have overwhelmed her.

This behavior is not only unacceptable, it is damaging these bonobos opportunity to become the best science resource in the world today. It is also potentially damaging the bonobos continuing to live in their home in Des Moines. I realize Sue would not mind that because she has the notion that she could take them to Missouri and they could live as a family together for the rest of their lives. That is not only fantasy, it is selfish. The bonobos would probably not survive long which would be a terrible tragedy in itself, but even worse the loss of the science that these bonobos can produce would be even worse. We should all be focused on maximizing the science while we have them. Sue apparently places that goal secondary to her own needs.

In the meantime Sue is wasting everyone else's time and energy putting out her brush fires.

I would greatly appreciate your comments and suggestions of how we can stop this very negative behavior short of litigation?

Lyle



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-----Original Message-----

From: Jared Taglialatela [<mailto:jtaglial@kennesaw.edu>]

Sent: Tuesday, February 25, 2014 8:03 PM

To: George Caudill; William Donald Hopkins; Julie Gilmore (jgilmoredvm@gmail.com); sboers@mchsi.com; Meg Schneider-Fitz (mfitz@desmoinesmetro.com); Tom Watson

Cc: Lyle Simpson

Subject: stirring up dust

Good evening to all of you,

I received a call today from Patricia Gray. For those of you who may not know, Patricia Gray is a researcher that had worked with Sue in the past, and had relatively recently reached out to me given that she heard things were changing in Iowa. Specifically, she reached out to me after running into Frans de Waal a couple of months ago, and Frans encouraged her to reach out given that Bill Hopkins had just run into Frans and gave him a brief rundown of our plans in Iowa.

Some of you may further recall that Patricia was just one of many colleagues that I spoke to that simply would not want any part of us if Sue were involved. I assured Patricia on a phone conversation at the end of last month that Sue was no longer a part of the organization, that we, in fact, had formed a new organization, ACCI, and that we were moving forward with a comprehensive plan for sustainable research and education. Patricia expressed an interest in restarting some work she had done previously with Kanzi et al, before, as she puts it, "things blew up with Sue." She briefly described her project, it sounded interesting, and I asked her to submit a brief proposal for our consideration.

Fast forward to this afternoon when I receive a call from Bill's lab manager indicating that Patricia Gray had called Yerkes looking for me, and indicated that it was a time sensitive manner. I called Patricia immediately, and she said she had just received a call from Sue. I inquired as to the nature of the call, and Patricia indicated that she had just organized a symposium at the American Association for the Advancement of Science conference on rhythmic entrainment (read "music") in nonhuman animals. She and colleagues had presented data that she had collected from bonobos in Jacksonville Zoo and others presented work from apes, monkeys, sea lions, etc. Apparently, the symposium generated quite a bit of press. Well, that press made it across Sue's eyes, and Sue was calling Patricia to accuse her of misrepresenting the data because it was work she had collected in Iowa previously with Sue. Patricia corrected Sue, indicating the project she was presenting on was from data she collected in Jacksonville Zoo with a colleague, Ed Large. Patricia then indicated that once she set Sue straight, Sue began to be very friendly, and began telling Patricia they should publish a paper together on some of the data Patricia had collected previously in Iowa. Apparently, Sue then proceeded to tell Patricia that she was still very much in charge in Iowa, but that there were insidious forces at work against her. Patricia indicated that Sue did NOT refer to herself as the director, but DID indicate that SHE WAS IN CHARGE. When I asked Patricia if she mentioned me by name, she said Sue had NOT.

I then spent the next 10 minutes assuring Patricia that what Sue told her was false. Patricia was concerned, and said she literally was just about to send me the proposal we had spoke about at the end of January when Sue called. You can imagine what she thought when Sue clearly indicated she was in charge. I think I did fairly well on damage control, and pointed out that Sue does not have access to the facility or keys to the building.

I imagine Patricia was somewhat convinced as she did send me her project information, but she also indicated the following in her message:

"I realize that things are in transition in Iowa, but with a surprise phone call from SSR this afternoon, I ask that this information stay with you, Bill Hopkins, and only scientists relevant to the research process. Neither Ed nor I wish to get caught up in controversy. With that in mind, I ask that you confirm that my current work will stay only within the ACCI scientists."

I plan to write her back, disclosing the names and affiliations of all the scientists on our advisory panel as well as the names of all the individuals on our IACUC. I will further assure her that these are the only people that POTENTIALLY will see her work for now (eventually, I would like to put a 1 paragraph summary of all ongoing research proposals on our website).

So, I ask you, has Sue broken her promise to Bill Z.? If Patricia is applying to collaborate with us (a potential source of great scientific data as well as potential funds), and Sue's lie put that in jeopardy, I would say that is far more damaging than "stirring up dust". Would you agree? Or am I over-reacting because I had to tell a colleague that I do not know very well that in fact, Sue told her a boldfaced lie (which somehow, still feels like it tarnishes me as well).

The good news is, she still sent me the proposal, and also indicated that she and her colleague, Ed, are very excited about our bonobos now being available for scientists throughout the world again.

Please, let me know your opinions - even if they are different from mine.

Best,

Jared

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